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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/635,390 | 08/06/2003 | Vladimir Rodov | ESD1.PAU.02 | 1189 |

7590 07/09/2004

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EXAMINER

TRAN, MAI HUONG C

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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2818

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,390

Applicant(s)

RODOV ET AL.

Examiner

Mai-Huong Tran

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 31-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-12,17-19 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 2-5,13-16,20-22 and 26-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/17/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Election/Restriction

Application's election without traverse of Group I (Claims 1-30) drawn to a semiconductor device is acknowledged for prosecution in the subject application . Accordingly, claims 31-35 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Applicants have the right to file a divisional application covering the subject matter of the non-elected claims.

Drawings

The drawings are objected to for the following reasons.

Reference signs 216, 226, 228, 210, 212, 522, 518, 624 are not included in the drawings (see 37 CFR § 1.84p). Correction is required.

Applicant is required to submit a proposed drawing correction, showing changes in red ink, in response to this Office action. However, formal correction of the noted defect(s) can be deferred until the application is allowed by the examiner (see MPEP § 608.02v).

Specification

The specification is objected to for the following reasons.

The specification does not include reference signs 526 of Figure 5 (see CFR § 1.84p). Correction is required.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6-12, 17-19, 23-25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 6,560,105 to Roy et al. in view of Colclaser et al. (6,674,129).

Regarding to claims 1, 6-12, 17-19, 23-25, Roy discloses an integrated circuit incorporating an Electrostatic Discharge (ESD) protection device comprising a semiconductor substrate 21; an electrical contact pad 22; a dynamic shock absorbing region 98 formed in the semiconductor substrate adjacent to active device region, dynamic shock absorbing region made from a material with thermo-mechanical properties substantially more resistant to shock from dynamic effects of ESD than active device region as set forth in col. 2, lines 3-20, lines 45-65, and fig. 1.

Roy does not disclose an ESD switch coupled to the pad and having an active device region formed in the semiconductor substrate.

Colclaser teaches an ESD switch coupled to the pad and having an active device region formed in the semiconductor substrate (col. 5, lines 22-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Roy by adding an ESD switch coupled to the pad and having an active device region formed in the semiconductor substrate as taught by Colclaser, the motivation being to obtain the advantage/benefit of protecting a circuit against electrostatic discharge and allowing proper operation, particularly at high frequencies (col. 3, lines 18-23).

Allowable Subject Matter


Claims 2-5, 13-16, 20-22, 26-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication on earlier communications from the examiner should be directed to Mai-Huong Tran, (571) 272-1796. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM. The examiner's supervisor, David Nelms can be reached on (571) 272-1787.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


Mai-Huong Tran


David Nelms
Supervisory Patent Examiner
Technology Center 2800